

FILED

Mar 28, 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Christopher g. Valencia #TO5563
 Name and Prisoner/Booking Number
CORCORAN STATE PRISON
 Place of Confinement
P.O. Box 3466
 Mailing Address
Corcoran CA. 93212
 City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF CALIFORNIA**

Christopher g. Valencia)
 (Full Name of Plaintiff) Plaintiff,)

v.

(1) DeBorah, San Juan)
 (Full Name of Defendant))

(2))

(3))

(4))

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

1:22-cv-00360-EPG-(PC)

CASE NO.

(To be supplied by the Clerk)

DEMAND Jury Trial.

**CIVIL RIGHTS COMPLAINT
 BY A PRISONER**

☒ Original Complaint☐ First Amended Complaint☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).☐ Other: _____2. Institution/city where violation occurred: Corcoran State Prison,

B. DEFENDANTS

1. Name of first Defendant: DeBoratt, San Juan ^{Held Responsible In} INDIVIDUAL CAPACITY. The first Defendant is employed as: COMMISSIONER of BOARD of Parole Hearing at CONCORAN, B.P.H.
(Position and Title) (Institution)
2. Name of second Defendant: _____ The second Defendant is employed as: _____
(Position and Title) (Institution)
3. Name of third Defendant: _____ The third Defendant is employed as: _____
(Position and Title) (Institution)
4. Name of fourth Defendant: _____ The fourth Defendant is employed as: _____
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 3. Describe the previous lawsuits:
- a. First prior lawsuit:
- Parties: Christine Valencia v. Dennis O'Connell ^{LAWYER}
 - Court and case number: N/A OUT of RIVERA, DE.
 - Result: (Was the case dismissed? Was it appealed? Is it still pending?) Dismissed
- b. Second prior lawsuit:
- Parties: Christine Valencia v. Stu Sherman ^{WARDEN}
 - Court and case number: 1:20-CV-00399-HBK
 - Result: (Was the case dismissed? Was it appealed? Is it still pending?) Settled and Dismissed
- c. Third prior lawsuit:
- Parties: Christine Valencia v. Ken Clark ^{WARDEN}
 - Court and case number: 1-21-CV-00137 SAB
 - Result: (Was the case dismissed? Was it appealed? Is it still pending?) Dismissed

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: 1ST AMENDMENT, Due Process
5TH AMENDMENT 7TH AMENDMENT VIOLATIONS

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>OBSTRUCTION, PERVERSION OF THE RECORD BY PUBLIC OFFICIAL.</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

ON 8-19-21, ACTING IN HER INDIVIDUAL CAPACITY, "DEBORAH SAN JUAN" DILIGERATELY AND INDIFFERENTLY COMMITTED THE ACT OF OBSTRUCTION, AND PERVERSION OF EVIDENCE, AND THE RECORD; WHEN DURING A OFFICIAL PAROLE CONSIDERATION HEARING BEING CONDUCTED VIA THROUGH ZOOM, DEBORAH SAN JUAN INTENTIONALLY DEACTIVATED AUDIO AND VIDEO EQUIPMENT UTILIZED DURING SAID HEARING. WITH THE INTENTIONS OF DEPRIVING THE PLAINTIFF OF HIS DUE PROCESS RIGHTS, TO BE HEARD, TO HAVE A MEANINGFUL HEARING. PLAINTIFF BECAME AWARE OF THIS UNLAWFUL ACTION, WHEN PLAINTIFF NOTICED THAT EVERY TIME THAT PLAINTIFF SPOKE, THE SCREEN AND AUDIO WOULD SHUT OFF. SO PLAINTIFF CONFRONTED DEBORAH SAN JUAN IN REGARDS TO THE POSSIBILITY OF THE EQUIPMENT MALFUNCTIONING. PLAINTIFF STATED PER TRANSCRIPT: "HOW COME EVERY TIME I SPEAK THE TV SCREEN SHUTS OFF. ... AND "DEBORAH SAN JUAN" RESPONDED: "DONT WORRIE THERES NOTHING WRONG WITH THE VIDEO EQUIPMENT, I TURNED IT OFF, I SHUT YOU OFF" I PRESSED THE BUTTON NO ONE WANTS TO HEAR YOUR "BULLSHIT" THIS IS ALL RECORDED ON ORIGINAL PAROLE HEARING TRANSCRIPTS, AND ON THE DIGITAL RECORD KEPT BY THE "B.P.H.",

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

DEPRIVED OF DUE PROCESS, AND LIBERTY INTEREST. MY CONSTITUTIONAL STANDING WAS SEVERELY INTRUED, emotional distress, Hypertension, serious Depression, Body Aches, HEART complications. forced exposure to persons with (COVID-19) - and out Break Areas, Prison.

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM II

1. State the constitutional or other federal civil right that was violated: 8th Amend. 5th Amend. 1st Amendment

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input checked="" type="checkbox"/> Retaliation by Public Official |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

ON THE DATE OF 8-19-21, Plaintiff suffered The ACT and Attack of Retaliation By DEBORAH SAN JUAN "DEBORAH SAN JUAN" ON AUGUST 19TH 2021 INFORMED The Plaintiff and Plaintiff's Attorney That if Plaintiff Attended His parole consideration hearing DEBORAH SAN JUAN would give Plaintiff A seven year Denite for WASTING THE BOARD'S TIME. DEBORAH SAN JUAN ADVISED Plaintiff off "RECORD" TO TAKE A THREE YEAR STIPULATION and forgo BOARD. Plaintiff "Chose" TO Attend BOARD and WAS MET with Hostilities Disguised under Policy. "DEBORAH SAN JUAN" Deliberately and Indifferently CARRIED OUT ACTS of Retaliation Due to Plaintiff Attending BOARD. Instead of ACCEPTING The STIPULATION of 3 YEARS. The ACTS of Retaliation RANGED from The Intentional concealment of Mitigating evidence TO HELP Plaintiff "Such" AS Positive Progress Reports and Certificates of Rehabilitation, employment and Housing offers. The Retaliation ALSO CAME In The form of libel, CURRUPTION of facts and RECORDS, falsification of CRIMINAL Allegations and ACCOUNTS IN ORDER TO SUPPORT A UNLAWFUL 7 year Denite. The Retaliation WAS CLEAR and ON The RECORDS.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

UNLAWFUL confinement, The Process liberty Interest SEVERE INJURY TO My Constitutional STANDING. PERSONAL, EMOTIONAL Distress, Hypertension, Heart complications, Serious Depression.

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim II? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim II to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM III

1. State the constitutional or other federal civil right that was violated: 14th Amendment
5th Amendment 7th Amendment Violation
2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.
- | | | | |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>Discrimination by Public official</u> | |
3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.
- The unlawful ACT of Discrimination was committed against The Plaintiff
ON AUGUST 19th 2021. When DEBORAH SAN JUAN MANIPULATED and
TAMPERED with VIDEO and AUDIO EQUIPMENT Utilized DURING
Parole consideration Hearing. The Deliberate and Indifferent
ACT of Deactivating said equipment was done with the sole
intention of Depriving Plaintiff of His Right to be HEARD.
DEBORAH SAN JUAN STATED on official RECORD she purposely
SHUT OFF AUDIO and VIDEO feed BECAUSE she believes Plaintiff
is full of "BULLSHIT", and someone like me deserves to
be in prison for seven more years. The PAROLE HEARING
TRANSCRIPTS ARE RIDDLED with "Discriminatory" REMARKS
and The CLEAR and Present FACT is NO MATTER what
OPINIONS A COMMISSIONER HAS Plaintiff should be given
OPPORTUNITY to SPEAK and HAVE a MEANINGFUL HEARING.
This was NOT the case Plaintiff was Deliberately ATTACKED By
DEBORAH SAN JUAN in her INDIVIDUAL CAPACITY. All because Plaintiff
chose to ATTEND the BOARD HEARING INSTEAD of TAKING the STIPULATION.
4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).
- Deprived of rights INJURED Plaintiff. The Plaintiff suffered
INJURY TO HIS CONSTITUTIONAL PERSON, emotional distress
P.T.S.D Depression, Hyper Tension, HEART complications.
5. **Administrative Remedies.**
- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
 - Did you submit a request for administrative relief on Claim III? ☒ Yes ☐ No
 - Did you appeal your request for relief on Claim III to the highest level? ☐ Yes ☐ No
 - If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

I seek Prosecution of Defendant in this matter for the ACTIONS and CRIMINAL ACTS Against my "PERSON". Also for the civil infractions. I pray the courts AWARDS me what is JUST and fair. In "PUNITIVE", Compensatory Monetary DAMAGES. I personally AM seeking The sum and amount of \$3,000,000. Three million dollars. for the unlawfull ACTIONS COMMITTED By "DEBORAH SAN JUAN" In Her Individual Capacity Against my "PERSONS". Thank you.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3-16-22
DATE


without Prejudice
3-16-22
SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

Auth Rep
ATTN: Clerk

"I AM NOT with out funds"
I shall send A "check"
for The filing fees. As soon
As The prison Processes the
The payment from my account!

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.